

## **NOTICE OF PUBLIC HEARING**

Intent to Adopt Regulations  
(LCB File No. R144-13RP5)

NOTICE IS HEREBY GIVEN that the State Board of Health will hold a public hearing to consider amendments to Chapter 459 of Nevada Administrative Code (NAC), Hazardous Materials. This public hearing is to be held in conjunction with the State Board of Health meeting on September 9, 2016. The NAC 459 regulation changes will be heard in the order placed on the State Board of Health agenda.

The State Board of Health will be conducted via videoconference beginning at 9:00 a.m. on Friday, September 9, 2016 at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room #303 Carson City, Nevada	Southern Nevada Health District 208 South Decatur Blvd Red Rock Conference Room Las Vegas, Nevada	Division of Aging and Disability Services Early Intervention Services 1020 Ruby Vista Drive, Suite 102 Elko, Nevada
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The proposed regulations to NAC 459 include the following: The proposed addition/change of regulations in LCB File No. R144-13RP5 include provisions for:

- Proposed regulations LCB File No. R144-13RP4 was adopted by the Board of Health on March 11, 2016.
- During the Legislative Commission review on April 4, 2016, comment was made for removal of certain language in Section 91, specifically removed {NAC 459.359 (2) (f)}, from the proposed regulation.
- Concurrence was received, for removal of the language, from the Nuclear Regulatory Commission and the Agency for Nuclear Projects Office.
- The language removal was approved by the Legislative Commission on June 22, 2016.

1. Anticipated effects on the business which NAC 459 regulates:

A. *Adverse effects:* None anticipated

B. *Beneficial:* Clearly defines what is expected of the regulated community. Protects the public from unnecessary exposure to harmful ionizing radiation. Involves no new cost or fee. Amend and modify existing language to make regulations more clear, current and compatible with the intent and scope of the Radiation Control Program.

- C. *Immediate*: The stated adverse and beneficial effects would be immediate impacts as soon as the proposed regulations become effective.
  - D. *Long-term*: The long term impacts would be the same as the immediate impacts as it is not be expected that the impacts would go away.
2. Anticipated effects on the public:
- A. *Adverse*: None anticipated.
  - B. *Beneficial*: Increased public health and safety.
  - C. *Immediate*: Increased public health and safety.
  - D. *Long-term*: Increased public health and safety.
3. At this time, there is no estimated cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations. Enforcement of the proposed regulations will be incorporated into current administrative, registration, licensing and inspection processes.
4. The amendments do not increase any existing fees.
5. The proposed regulations do not overlap or duplicate any other Nevada state regulations. Proposed regulations.
6. Per NRS 233B.0608(3), A Small Business Impact Questionnaire (SBIQ) and Small Business Impact Statement (SBIS) were submitted and approved at the March 11, 2016 Board of Health. The Legislative Commission directed and approved removal of certain language in Section 91 of the adopted regulations, therefore a repeat of supporting documentation is not being submitted.
7. Per NRS 233B.064(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.
8. Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to the Board's Secretary, Cody L. Phinney, to be received no later than August 30, 2016 at the following address:

Secretary, State Board of Health  
Division of Public and Behavioral Health  
4150 Technology Way, Suite 300  
Carson City, NV 89706

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow Board members adequate time to review the documents.

A copy of the notice and proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

Division of Public and Behavioral Health  
675 Fairview Drive, Suite 218  
Carson City, NV 89701-5629

Division of Public and Behavioral Health  
4220 S. Maryland Parkway, Bldg. D, Ste. 810  
Las Vegas, NV 89119

Nevada State Library and Archives  
100 Stewart Street  
Carson City, NV 89701

Copies may be obtained in person, by mail, or by calling the Radiation Control Program at (775) 687-7550 in Carson City.

A copy of the regulations and this notice can also be found on-line by going to:

[http://dpbh.nv.gov/Reg/RPM/Radiation\\_Producing\\_Machines\\_-\\_Home/](http://dpbh.nv.gov/Reg/RPM/Radiation_Producing_Machines_-_Home/)

[http://dpbh.nv.gov/Reg/RAM/Radioactive\\_Material\\_Program\\_\(RAM\)\\_-\\_Home/](http://dpbh.nv.gov/Reg/RAM/Radioactive_Material_Program_(RAM)_-_Home/)

<https://www.leg.state.nv.us/Register/2013Register/R144-13RP5.pdf> (Regulations Only)

<https://www.leg.state.nv.us/App/Notice/A/>

Copies may also be obtained from any of the public libraries listed below:

Carson City Library  
900 North Roop Street  
Carson City, NV 89702

Churchill County Library  
553 South Main Street  
Fallon, NV 89406

Clark County District Library  
1401 East Flamingo Road  
Las Vegas, NV 89119

Douglas County Library  
1625 Library Lane  
Minden, NV 89423

Elko County Library  
720 Court Street  
Elko, NV 89801

Esmeralda County Library  
Corner of Crook and 4<sup>th</sup> Street  
Goldfield, NV 89013-0484

Eureka Branch Library  
80 South Monroe Street  
Eureka, NV 89316-0283

Henderson District Public Library  
280 South Green Valley Parkway  
Henderson, NV 89012

Humboldt County Library  
85 East 5<sup>th</sup> Street  
Winnemucca, NV 89445-3095

Lander County Library  
625 South Broad Street  
Battle Mountain, NV 89820-0141

Lincoln County Library  
93 Maine Street  
Pioche, NV 89043-0330

Mineral County Library  
110 1<sup>st</sup> Street  
Hawthorne, NV 89415-1390

Pershing County Library  
1125 Central Avenue  
Lovelock, NV 89419-0781

Tonopah Public Library  
167 Central Street  
Tonopah, NV 89049-0449

White Pine County Library  
950 Campton Street  
Ely, NV 89301-1965

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447-2399

Pahrump Library District  
701 East Street  
Pahrump, NV 89041-0578

Storey County Library  
95 South R Street  
Virginia City, NV 89440-0014

Washoe County Library  
301 South Center Street  
Reno, NV 89505-2151